

The Board of Adjustment of the City of Seabrook met on Thursday, January 27, 2022 via teleconference in regular session to consider the following agenda items.

THOSE PRESENT WERE:

SUE LANGGARD THOMEY	CHAIRMAN
MICHELE GLASER	VICE-CHAIR
EDELMIRO MUNIZ	MEMBER
TIN NGO	MEMBER
TERRY MOORE	MEMBER
vacant	ALTERNATE MEMBERS
STEVE WEATHERED	CITY ATTORNEY
SEAN LANDIS	DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT
PAT PATEL	ADMINISTRATIVE COORDINATOR

Sue Thomey called the meeting to order at 6:00 p.m.

1.0 ADMINISTER OATH OF WITNESSES

- Applicant – Sylvia Hallum, 1637 E. Meyer Avenue, Seabrook, TX 77586

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

None.

3.0 SPECIFIC PUBLIC HEARING

3.1 Request for a variance to the Seabrook Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Regulations", Section 3.04.04, "Accessory Structures", as it relates to "Accessory structures shall not occupy a required front or corner side yard or project beyond the front building line of the principal structure on the site".

Applicant/Owner: Sylvia Hallum, 1637 E. Meyer Avenue, Seabrook, TX 77586

Legal Description: 1637 E. Meyer Avenue, Seabrook, TX 77586, Lot 2, Block 1, Replat Lake Vista Estates, recorded in volume 388, page 071, of the Map Records of Harris County Texas.

This property is located immediately north of E. Meyer Avenue, and east of State Highway 146.

Chair Sue Thomey opened the Public Hearing at 6:03 p.m.

Director Sean Landis explained to the Board that the applicant is requesting to construct an in-the-ground swimming pool within the City's defined front yard. The property is approximately a ½ acre and the site is not configured in a customary manner. The property is adjacent to Lake Mija and when it was developed, the owner wanted to take full advantage of the house placement and the Lake.

Since this lot is uniquely built, where the front of the house is facing the street and the rear of the house is facing Lake Mija. The front lot is a lot larger than a typical lot and the applicant is requesting to build a swimming pool in the front lot. The property already has a wooden fence that goes all the way around the property boundaries which screens the pool from public view. As part of the permitting process, there will also be a gate that will be installed.

The applicant, Sylvia Hallum, stated that her neighbors have an identical fence that has a remote gate along the fence line, and that she plans on using the same builder to install that same gate. The public would not be able to see the swimming pool because the gate is at least 6ft tall.

Sue Thomey closed the Public Hearing at 6:12 p.m.

4.0 NEW BUSINESS

- 4.1 Consider and take all appropriate action on a request for a variance to the Seabrook Code of Ordinances, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of Zoning Districts and Associated Regulations", Section 3.04.04, "Accessory Structures", as it relates to "Accessory structures shall not occupy a required front or corner side yard or project beyond the front building line of the principal structure on the site".**

VARIANCE FINDINGS PURSUANT TO SECTION 10.04.02 – the issuance of a variance may not be granted unless the board shall determine that all of the following criteria have been met:

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved which are not applicable to other lands, structures or buildings in the same district.**

Applicant's Answer: I would like to put in an in-ground swimming pool in my front yard because I don't have a typical backyard to support a pool. I have ½ an acre in my front yard & that is the only place a pool could fit on my property.

We find accordingly

Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

Nays:

Abstain: None

B. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the same district under the terms of this ordinance.

Applicant's Answer: I have a 6' privacy fence around my property & neighbors would not be able to see the pool. If the pool was not permissible then I would to be deprived because of the configuration of my property.

We find accordingly.

Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

Nays:

Abstain: None

C. That the special conditions and circumstances do not result from the actions of the applicant.

Applicant's Answer: I live on a unique lot & due to the proximity of the water which results in my front yard actually being my back yard.

We find accordingly.

Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

Nays:

Abstain: None

D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

Applicant's Answer: Pools are typically built in back yards with larger tracks than mine. My property is much larger in the front yard than rear as some others in same district due to being on the water. Therefore, other homes have their pool in the front yard.

We find accordingly.

Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

Nays:

Abstain: None

E. That a literal enforcement of the provisions of this ordinance would result in unnecessary hardship.

Applicant's Answer: If I were denied this variance, it would definitely result in unnecessary hardship because of the lack of enjoyment my family and I would be deprived of. Others in my district were approved of this same type of variance and I would like this same approval.

We find accordingly, for the reasons expressed herein:

Ayes: Sue Thomey, Michele Glaser, Ed Muniz, Tin Ngo, Terry Moore

Nays:

Abstain: None

VARIANCE GRANTED - MOTION CARRIED BY UNANIMOUS CONSENT

5.0 ROUTINE BUSINESS

5.1 Approve the minutes from the November 15, 2021 meeting.


Motion was made by Ed Muniz and seconded by Tin Ngo.

Approve the minutes as presented.


MOTION CARRIES BY UNANIMOUS CONSENT.

Meeting adjourned at 6:18 p.m.

APPROVED THIS 14th DAY OF March, 2022



Michele Glaser, Vice-Chair



Pat Patel, Administrative Coordinator